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|--------------------------|-------------|----------------------|---------------------|------------------|
| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 10/553,546 | 09/12/2006 | Patrick Hanley | PA1365 | 4055 |
| 28390 | 7590 | 04/10/2008 | EXAMINER | |
| MEDTRONIC VASCULAR, INC. | | | PEZZUTO, HELEN LEE | |
| IP LEGAL DEPARTMENT | | | ART UNIT | PAPER NUMBER |
| 3576 UNOCAL PLACE | | | 1796 | |
| SANTA ROSA, CA 95403 | | | | |
| NOTIFICATION DATE | | DELIVERY MODE | | |
| 04/10/2008 | | ELECTRONIC | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

rs.vascilegal@medtronic.com



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
| 10553546 | 9/12/2006 | HANLEY ET AL. | PA1365 |

EXAMINER

Helen L. Pezzuto

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| ART UNIT | PAPER |
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1796 20080318

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply filed on 12/27/07 is not fully responsive to the prior Office action because of the following omission(s) or matter(s): The newly amended claims 1 and 12 (i.e. a coated implantable medical device) are directed to an invention that is independent or distinct from the invention originally claimed. Since applicant has received an action on the merits for the originally presented invention (i.e. a coating composition), this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, newly amended claims 1-14 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03. Since the above-mentioned reply appears to be bona fide, applicant is given a TIME PERIOD OF ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helen L. Pezzuto whose telephone number is (571) 272-1108. The examiner can normally be reached on 8 AM to 4 PM, Monday thru Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on (571) 272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Helen L. Pezzuto/
Primary Examiner
Art Unit: 1796

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|---|--------------------------------|--|
| Application Number  | Application/Control No. | Applicant(s)/Patent under Reexamination |
| | 10/553,546 | HANLEY ET AL. |
| Examiner | Art Unit | |
| Helen L. Pezzuto | 1796 | |